

Representative Carl Wimmer proposes the following substitute bill:

JOINT RESOLUTION REGARDING SECRET

BALLOT

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl Wimmer

Senate Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend a provision of the Utah Constitution relating to voting by secret ballot.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ include elections under state or federal law for public office, on an initiative or referendum, or to designate or authorize employee representation among the elections that are required to be by secret ballot; and
- ▶ make technical changes.

Special Clauses:

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2011 for this proposal.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE IV, SECTION 8

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each



26 *of the two houses voting in favor thereof:*

27 Section 1. It is proposed to amend Utah Constitution Article IV, Section 8, to read:

28 **Article IV, Section 8. [Ballot to be secret.]**

29 (1) All elections, including elections under state or federal law for public office, on an
30 initiative or referendum, or to designate or authorize employee representation, shall be by
31 secret ballot.

32 (2) Nothing in this section [shall] may be construed to prevent the use of any machine
33 or mechanical contrivance for the purpose of receiving and registering the votes cast at any
34 election[~~:-Provided, That~~], as long as secrecy in voting [be] is preserved.

35 Section 2. **Submittal to voters.**

36 The lieutenant governor is directed to submit this proposed amendment to the voters of
37 the state at the next regular general election in the manner provided by law.

38 Section 3. **Effective date.**

39 If the amendment proposed by this joint resolution is approved by a majority of those
40 voting on it at the next regular general election, the amendment shall take effect on January 1,
41 2011.